NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE MARYLAND 20755-6000

12 December 2011

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that intelligence activities of the National Security Agency during the quarter ending 30 September 2011 were unlawful or contrary to Executive Order or Presidential Directive and thus should have been reported pursuant to Section 1.6(c) of Executive Order 12333, as amended.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

George Ellard

GEORGE ELLARD
Inspector General

PATRICK J. REYNOLDS
Acting General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

KEITH B. ALEXANDER
General, U. S. Army
Director, NSA/Chief, CSS

Encl:
Quarterly Report

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Approved for Release by NSA on 12-22-2014, FOIA Case # 70809 (Litigation)

I. (U) Intelligence, Counterintelligence, and Intelligence-Related Activities that Violated Law, Regulation, or Policy and Were Substantiated during the Quarter, as well as Actions Taken as a Result of the Violations

I.A. (U) Intelligence Activities Conducted under Executive Order (E.O.) 12333 Authority

I.A.1 (U) Unintentional Collection against United States Persons (USPs) or Foreign Persons in the United States

(U//~~FOUO~~) During the third quarter of calendar year 2011 (CY2011), signals intelligence (SIGINT) analysts in [redacted] instances inadvertently targeted or collected communications to, from, or about USPs while pursuing foreign intelligence tasking. Unless otherwise specified, all intercepts, query results, and reports have been deleted or destroyed as required by United States SIGINT Directive SP0018.

(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

I.A.1.a. (U) Targeting

~~(TS//SI//REL TO USA, FVEY)~~ [redacted]

(U//~~FOUO~~) [redacted] an NSA analyst discovered that a U.S. [redacted] had been tasked because of a typographical error. [redacted] was instructed to detask the incorrect selector [redacted] The data was purged.

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(b)(3)-P.L. 86-36

(U//~~FOUO~~) [redacted] an NSA analyst discovered that a USP had been targeted. During the transfer of coverage of the target from one analyst to another, information about the citizenship of the target was not passed to the second analyst. Unaware that the target was a USP, the second analyst tasked the target's selector [redacted] The analyst detasked the selector [redacted] Reports containing the target's name had been issued but subsequently canceled [redacted]

(b)(3)-P.L. 86-36

(U//~~FOUO~~) On [redacted] occasions [redacted] NSA analysts targeted the same USP. [redacted] an analyst learned that an individual believed to be a valid foreign intelligence target was a USP. The targeting error occurred because the analyst had only partial information on the target. The analyst detasked [redacted] e-mail and telephone selectors associated with the target [redacted] an analyst, unaware that the selectors had been detasked, queried the target's selector in a raw traffic database. The query results were deleted, and no reports were issued. The selectors were added to a list of detasked selectors to prevent future incidents. [redacted] an analyst tasked [redacted] selectors associated with the target without first checking the list of detasked selectors. The selectors were detasked, and collection was purged [redacted]

Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20320108

(b)(3)-P.L. 86-36

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(U//~~FOUO~~) an NSA analyst tasked the telephone number of a green card holder. The following day, the tasking was canceled, the collection was deleted, and all reports were canceled.

~~(S//REL TO USA, FVEY)~~ an NSA analyst noted travel to the United States by a foreign The results from the queries were deleted, and no reports were issued.

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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

I.A.1.b. (U) Database Queries

~~(S//REL TO USA, FVEY)~~

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(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ On occasions during this quarter, analysts performed overly broad or poorly constructed database queries that potentially targeted and/or returned information about USPs. These queries hat produced imprecise results. On of those occasions, the queries returned results from the database. The query results were deleted, and no reports were issued. Analysts who performed these queries were counseled by their management.

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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

(U) Procedural and other errors contributed to the following incidents.

- (U//~~FOUO~~) NSA analysts performed queries in raw traffic databases without first performing the required research on the selectors. queries returned results, which were deleted; no reports were issued.

- (U//~~FOUO~~) an NSA analyst performed a query in a raw traffic database that included one that was U.S.-based. The error occurred because the analyst copied and pasted the incorrect The results were deleted no reports were issued.

(b)(3)-P.L. 86-36

(b)(3)-P.L. 86-36

- ~~(S//REL TO USA, FVEY)~~ NSA analysts learned that e-mail selectors associated with targets visiting the United States query of a raw traffic database. they failed to remove the selectors raw traffic database. One of the queries returned results, which were deleted; no reports were issued.

- (U//~~FOUO~~) an NSA analyst queried a raw traffic database using a selector for a target located in the United States. Although the analyst performed research on

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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

the selector before querying, the analyst failed to review the results of the research, which revealed that the target was in the United States. The queries and results were deleted [redacted] no reports were issued.

- (U//~~FOUO~~) [redacted] an NSA analyst used [redacted] as a query term in a raw traffic database. The query results were deleted, and no reports were issued. (b)(3)-P.L. 86-36

- (U//~~FOUO~~) [redacted] an NSA analyst removed potential U.S. selectors from a list of valid foreign intelligence selectors but missed one. That selector was subsequently queried in a raw traffic database before the auditor noticed the mistake. There were no results and no reports. (b)(1) (b)(3)-P.L. 86-36

- ~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst learned that [redacted] selectors for a valid foreign intelligence target [redacted] in a raw traffic database after the target had arrived in the United States [redacted] Although the analyst [redacted] and flagged the selectors for detasking, the analyst [redacted] The analyst removed the selectors from the query [redacted] no collection or reporting occurred. (b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i)

I.A.1.c. (U) **Detasking Delays** (b)(1) (b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst became aware that a target was [redacted] to the United States for [redacted] The NSA analyst immediately requested that [redacted] associated selectors be detasked. [redacted] during a review to ensure that the selectors had been detasked, it was noticed that [redacted] had been successfully removed. Immediately thereafter, [redacted] selectors were detasked. No collection or reporting occurred. (b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i)

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that selectors associated with a valid foreign target had been detasked from [redacted] the United States. The analyst failed to request detasking [redacted] The data was purged [redacted] no reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst became aware that his target was [redacted] to the United States and requested that all associated selectors be detasked. [redacted] the analyst learned that the detasking did not take place as requested and resubmitted the request. No collection or reporting occurred. (b)(1) (b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that e-mail selectors associated with a valid foreign intelligence target had not been properly detasked [redacted] the United States [redacted] In addition, [redacted] a delay in detasking resulted in collection [redacted] The analyst detasked the selectors [redacted]

(U//~~FOUO~~) [redacted] an NSA analyst discovered that selectors that had been removed from tasking [redacted] the United States had

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been mistakenly retasked by another analyst the following day. The selectors remained on task [redacted] the target's U.S. visit. No collection or reporting occurred.

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst learned that selectors associated with a target visiting the United States remained on task. [redacted] and requested that the associated selectors be detasked [redacted] the request was not executed [redacted] The collection was purged [redacted] and no reports were issued.

(b)(3)-P.L. 86-36

(U//~~FOUO~~) [redacted] an NSA analyst discovered that the selectors for a target had not been completely detasked when it was determined that the target had become a USP. Although the target's selectors had been detasked [redacted] the analyst failed to request detasking [redacted] The selectors were detasked [redacted]

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(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA database auditor noticed that [redacted] selectors had remained on task while a target was visiting the United States [redacted] for the same period. The results of the collection were deleted, and no reporting occurred.

(b)(3)-P.L. 86-36

(U//~~FOUO~~) [redacted] an NSA analyst discovered that a selector associated with a target who had worked in the United States [redacted] remained on task [redacted] The analyst detasked the selector and [redacted] the same day. No reports were issued.

I.A.1.d. (U) [redacted]

~~(TS//SI//REL TO USA, FVEY)~~ [redacted]

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~~(b)(3)-P.L. 86-36~~
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

I.A.1.e. (U) **Data-Handling Errors**

(U//~~FOUO~~) On [redacted] occasions [redacted] the names of eight U.S. government officials were improperly disclosed during briefings by NSA personnel. The briefing slide was changed to remove the names of the individuals.

(b)(3)-P.L. 86-36

(U//~~FOUO~~) [redacted] an NSA analyst performed a query [redacted] raw traffic databases without first performing due diligence in researching an untasked selector. The analyst forwarded a name and the associated selector in an e-mail to Intelligence Community (IC) personnel, who informed the analyst that the target was a USP. The analyst deleted the database queries and e-mails.

I.B. (U) Dissemination of U.S. Identities

~~(S//REL TO USA, FVEY)~~ The NSA/CSS enterprise issued [redacted] SIGINT product reports during the third quarter of CY2011. In those reports, SIGINT analysts included information that identified USPs or U.S. entities on [redacted] occasions while pursuing foreign intelligence tasking. The majority of the U.S. entities' names were those of Internet service providers in e-mail selectors. In [redacted] SIGINT products, dissemination were found to be improper, and the reports were canceled as NSA/CSS [redacted] analysts learned of USPs, U.S. organizations, or U.S. entities named without authorization. All data in the canceled reports was deleted as required, and the reports were not reissued or were reissued with proper minimization.

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I.C. (U) Foreign Intelligence Surveillance Act (FISA)

I.C.1. (U) NSA/CSS Title I FISA

I.C.1.a. (U) Tasking Error

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(U//~~FOUO~~) [redacted] during the review of information for the renewal of a Foreign Intelligence Surveillance Court (FISC) Order, an NSA analyst discovered that the targeted telephone selector [redacted] approved by the FISC Order. The analyst learned that the selector [redacted] All noncompliant collection was purged on [redacted]

I.C.1.b. (U) Detasking Delays

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(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that the cell phone selector for a target [redacted] had been inappropriately tasked. [redacted] when it was suspected that the target [redacted] The selector was detasked on [redacted] No collection or reporting occurred.

~~(S//SI//NF)~~ [redacted] an NSA analyst discovered that the selectors for a FISC-authorized target remained on task after [redacted] the selectors were detasked [redacted] The delay in detasking was discovered during the review of the FISC Order renewal. No traffic was collected [redacted]

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~~(S//SI//NF)~~ [redacted] NSA analysts learned that [redacted] selectors associated with FISC-authorized targets remained on task [redacted] an analyst discovered that an e-mail selector associated with one of the targets had been overlooked and collection on the selector continued after [redacted] The selector was detasked [redacted] NSA discovered that [redacted] selectors remained on task after [redacted] because a technical malfunction caused a system

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update to fail. The [redacted] selectors were detasked [redacted] Noncompliant data has been marked for purging.

I.C.1.c. (U) **Data-Handling Errors**

(U//~~FOUO~~) [redacted] a SIGINT analyst posted FISA information to a chat window that was not authorized for FISA data. Chat posts age off after 48 to 72 hours.

(U//~~FOUO~~) [redacted] an NSA analyst mistakenly e-mailed a list of [redacted] NSA FISA targets to an employee [redacted] assigned to NSA, instead of an NSA analyst with the same name, for whom the e-mail was intended. The [redacted] employee was not eligible to receive the list [redacted] Within minutes of receiving the e-mail, the [redacted] employee notified the analyst of the mistake and informed the analyst that the e-mail had been deleted permanently from the system.

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I.C.1.d. (U) **Unauthorized Data Retention**

(U//~~FOUO~~) [redacted] for an unknown reason, automated scripts used to age off FISA data did not execute in a data repository. The scripts did execute [redacted] deleting data that should have been deleted on [redacted] This error resulted in retention of FISA data for [redacted] longer than authorized. The cause of the error was probably an isolated network or server problem. The problem has not recurred, so it is believed to have been resolved.

(U//~~FOUO~~) [redacted] automated scripts used to age off FISA data did not execute in a data repository because of an invalid file path in a modified parameters file. The parameter file was corrected and tested, and the script ran [redacted] with no problems. This error resulted in retention of FISA data for two days longer than authorized.

I.C.2. (U) [redacted]

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(b)(3)-50 USC 3024(i)

I.C.2.a (U) **Data-Handling Errors**

(U//~~FOUO~~) [redacted] an NSA analyst cleaning out a newly assigned office discovered a FISA-derived document dating back to [redacted] The document was destroyed.

I.C.3. ~~(TS//SI//NF)~~ **Business Records (BR) Order**

~~(TS//SI//NF)~~ [redacted]

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(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

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(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

I.C.4. ~~(TS//SI//NF)~~ Pen Register/Trap and Trace (PR/TT) Order

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~~(TS//SI//NF)~~

I.C.5. (U) FISA Amendments Act (FAA)

I.C.5.a. (U) Section 702

(U//~~FOUO~~) *Note: As previously reported, NSA CSS has implemented a new process to ensure the purging of FAA §702 collection that is required to be purged from NSA CSS databases.*

to identify noncompliant data that should be purged. All collection that has been marked for purging will be purged.

(b)(3)-P.L. 86-36

I.C.5.a.i. (U) Unauthorized Targeting

(U//~~FOUO~~) an NSA analyst learned that a target selector the United States. After additional research, the analyst discovered that the selector was detasked because the target was no longer of foreign intelligence interest. the selector was mistakenly retasked. The analyst detasked the selector All collection has been marked for purging and no reports were issued.

(b)(3)-P.L. 86-36

(U//~~FOUO~~) an NSA analyst learned that a tasked selector noted to have been associated with an individual The selector was immediately detasked; no collection occurred.

~~(TS//SI//NF)~~ NSA learned that an Internet account targeted under FAA §702 authority outside the United States NSA was unable to confirm that the the account until NSA obtained a destruction waiver to retain the communication. reports issued have been canceled.

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(b)(3)-50 USC 3024(i)

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(U//~~FOUO~~) as NSA compliance personnel reviewed the incident further, they discovered that selectors that were originally detasked were mistakenly retasked under FAA §702 authority. In addition, new selectors were tasked erroneously. All of the selectors were detasked. The collection has been marked for purging, and no reports were issued.

(b)(3)-P.L. 86-36

(U//~~FOUO~~) NSA compliance personnel were notified by an IC agency that a tasked selector The selector was immediately detasked. The collection has been marked for purging, and no reports were issued.

(U//~~FOUO~~) it was discovered that a tasked selector believed to be associated with a valid foreign intelligence target The selector was immediately detasked; no collection occurred.

(U//~~FOUO~~) it was discovered that a selector believed to be associated with a foreign national The selector was immediately detasked. The collection has been marked for purging, and no reports were issued.

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(U//~~FOUO~~) an NSA analyst learned that tasked selectors were associated with a USP. Although another branch analyst had access to information about the target's U.S. citizenship, the analyst neglected to pass the information to other analysts. selectors were detasked Noncompliant data has been marked for purging, and no reports were issued.

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(U//~~FOUO~~) an NSA analyst discovered that a target's e-mail selector had been improperly tasked under FAA §702 because targeting procedures were not followed. The selector was detasked and data collected has been marked for purging, no reports were issued.

I.C.5.a.ii. (U) Tasking Errors

(U//~~FOUO~~) NSA analysts discovered that incorrect e-mail selectors had been tasked because of typographical errors. The selectors were detasked, and all noncompliant collection has been marked for purging.

(U//~~FOUO~~) an NSA analyst tasked e-mail selectors incorrectly because of a error. The analyst detasked the selectors on no collection occurred.

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(U//~~FOUO~~) NSA analysts discovered that selectors had been tasked without information indicating that the targets were located outside the United States. All selectors have been detasked, and noncompliant data collected has been marked for purging.

~~(S//REL TO USA, FVEY)~~ an NSA analyst erroneously dual-routed collection on selectors to IC agencies before confirming

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[redacted] The selectors were emergency detasked [redacted] All noncompliant data collected from [redacted] 2011 has been marked for purging.

(U//~~FOUO~~) [redacted] an NSA analyst incorrectly tasked [redacted] selectors associated with a valid foreign intelligence target. The error occurred because [redacted] selectors were detasked [redacted] and data collected [redacted] has been marked for purging; no reports were issued. (b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst noted travel to the United States by a foreign [redacted] All selectors except one were detasked [redacted] The error was discovered [redacted] and the selector was detasked. The results were deleted, and no reports were issued. (b)(1) (b)(3)-P.L. 86-36

(U//~~FOUO~~) [redacted] an NSA analyst incorrectly tasked a selector associated with an FAA §702 target. [redacted] The selector was detasked [redacted] All collection [redacted] was purged [redacted] (b)(3)-P.L. 86-36

(U//~~FOUO~~) [redacted] an NSA analyst discovered that [redacted] selectors had not been properly reviewed and had been tasked under the incorrect FAA §702 Certification [redacted] The selectors were detasked [redacted] and data collected [redacted] has been marked for purging. New procedures [redacted] have been implemented to prevent future occurrences.

I.C.5.a.iii. (U) **Database Queries**

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(b)(3)-50 USC 3024(i)

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an analyst, using a selector associated with a USP approved by [redacted] FAA 705B, performed a query in a raw traffic database containing FAA §702 data. The error occurred because the analyst neglected [redacted] would have prevented the query from being run against FAA §702 data. The results of the query were deleted, and no reports were issued.

(U//~~FOUO~~) [redacted] an NSA analyst performed a query in [redacted] raw traffic databases using a USP identifier. The query returned results, which were deleted [redacted] (b)(3)-P.L. 86-36

(U//~~FOUO~~) [redacted] an NSA analyst submitted in FAA §702 and E.O. 12333 [redacted] a raw traffic database an overly broad query that could have returned USP data. Upon realizing the mistake, the analyst canceled the query before it was completed.

I.C.5.a.iv. (U) **Detasking Delays**

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(U//~~FOUO~~) On [redacted] NSA analysts discovered that [redacted] FAA §702 selectors that should have been detasked for noncompliance had remained on task [redacted] despite

attempts to detask them [redacted] Although developers have not been able to duplicate the problem, they have developed new software to prevent future occurrences Validation of the software has been completed, and [redacted] the software had been deployed at all affected sites All noncompliant collection has been marked for purging (b)(3)-P.L. 86-36

(U//~~FOUO~~) [redacted] an NSA analyst became aware that he mistakenly detasked a similar selector instead of the selector associated with a target who was visiting the United States Upon discovering the mistake, the analyst immediately detasked the correct selector Collection was deleted, and no reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst failed to detask a selector for a valid foreign intelligence target [redacted] the United States on [redacted] The collection was deleted, and no reports were issued (b)(1) (b)(3)-P.L. 86-36

(U//~~FOUO~~) NSA analysts discovered that the selectors for a target remained on task even though [redacted] United States The selector was overlooked when the responsibility for covering the target was transferred from one analyst to another The target office is implementing changes to ensure that transfers of targets between analysts are seamless Noncompliant data collection [redacted] has been marked for purging. (b)(3)-P.L. 86-36

(U//~~FOUO~~) [redacted] it was discovered that an analyst who had been notified that his target was in the United States, had failed to detask the target's selector when he had detasked other selectors associated with a mission that was being transferred to another office The selector was detasked [redacted] Noncompliant collection has been marked for purging, and no reports were issued.

~~(S//REL TO USA, FVEY)~~ [redacted] it was discovered that an FAA §702 selector remained on task after a detask request had been issued [redacted] The target was [redacted] the United States [redacted] The error occurred because [redacted] the urgency of the detask request Noncompliant collection has been marked for purging, and no reports were issued (b)(1) (b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst learned that [redacted] selectors associated with a target visiting the United States remained on task The analyst learned from [redacted] that the target had arrived in the United States [redacted] Because of confusion about the detask request submitted [redacted] the selectors were not detasked [redacted] Noncompliant collection has been marked for purging, and no reports were issued.

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that the FAA §702-authorized selectors for a valid foreign intelligence target remained on task after the target had arrived in the United States [redacted] On the basis of information [redacted] the United States, the analyst detasked [redacted] selectors tasked [redacted] However, because of a lack of communication between

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analysts, the analyst did not [redacted] Noncompliant data has been marked for purging, and no reports were issued. (b)(1) (b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst learned that a selector associated with a target visiting the United States remained on task. The analyst became aware [redacted] that the target [redacted] the United States [redacted] the analyst detasked [redacted] and was in the process of being approved. The analyst did not take action to [redacted] Upon receiving notification [redacted] the analyst immediately requested that it be detasked. Although initial information revealed that the visit would take [redacted] subsequent information revealed that [redacted] the United States [redacted] No collection or reporting occurred.

(b)(3)-P.L. 86-36 ~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst was informed by [redacted] that a valid foreign intelligence target possibly had held a permanent resident card (green card) [redacted] confirmed the target's permanent residency status [redacted] The analyst [redacted] to confirm that the green card remained valid. The target selector was detasked [redacted] NSA analysts have been advised that, in situations in which [redacted] permanent residency status of an FAA §702 target, they should detask the selector while the matter is being investigated. (b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i)

(U//~~FOUO~~) [redacted] an NSA analyst discovered that the selector for a valid foreign intelligence target was overlooked [redacted] detasking of more than [redacted] selectors that were followed by an analyst who had left the office. The selector was detasked [redacted] Data collected [redacted] has been marked for purging, and no reports were issued. (b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that the selector for a valid foreign intelligence target remained on task after the target had arrived in the United States [redacted] An IC agency officer discovered information about the [redacted] the United States [redacted] but did not use the proper notification system to provide this information to NSA. The selector was detasked [redacted] Noncompliant collection has been marked for purging, and no reports were issued. (b)(1) (b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst realized that he had failed to detask a selector for a valid foreign intelligence target [redacted] the United States on [redacted] Although the target office had detasked [redacted] FAA §702 selectors associated with the target [redacted] The analyst performed an emergency detask [redacted] no collection occurred.

~~(S//REL TO USA, FVEY)~~ [redacted] during a review of FAA §702 selectors, an NSA analyst discovered that a valid foreign target [redacted] the analyst requested an emergency detask of the selector [redacted] Because of a miscommunication, (b)(1) (b)(3)-P.L. 86-36 (b)(1) (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i)

the selector [redacted] All noncompliant FAA §702 data collected [redacted] has been marked for purging [redacted] (b)(1) (b)(3)-P L. 86-36

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that the selectors for a valid foreign intelligence target remained on task after the target's arrival in the United States. [redacted] the analyst had overlooked the selector. Data collected [redacted] has been marked for purging, and no reports were issued.

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that the selector for a valid foreign intelligence target remained on task after the target's arrival in the United States. The target office had received information [redacted] the United States; [redacted] NSA had published a report stating that the target [redacted] the United States [redacted] The delay in detasking occurred because the target analyst was out of the office and did not read the information [redacted] The selector was detasked on [redacted] and collection [redacted] has been marked for purging. (b)(1) (b)(3)-P.L. 86-36

(U//~~FOUO~~) [redacted] an NSA analyst discovered that a selector for a target had remained on task after collection had been assessed [redacted] The analyst who tasked the selector had left the office and, based on the assessment of the collection, the current analyst had not been following the target. The selector was detasked [redacted] Data collected [redacted] has been marked for purging (b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that [redacted] selectors for a valid foreign intelligence target remained on task after the target had entered the United States [redacted] the United States [redacted] Noncompliant data collected [redacted] has been marked for purging (b)(1) (b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that an e-mail selector for a valid foreign intelligence target remained on task after the target's arrival in the United States [redacted] The selector was detasked [redacted] and collection [redacted] has been marked for purging

(U//~~FOUO~~) On [redacted] occasions from [redacted] NSA analysts incorrectly tasked selectors for [redacted] targets by using outdated sources of information indicating that the targets were located outside the United States. The selectors were detasked [redacted] Noncompliant data [redacted] has been marked for purging (b)(3)-P.L. 86-36

(U//~~FOUO~~) [redacted] an NSA analyst tasked a target's selector without providing information indicating that the target was located outside the United States. The

selector was detasked [redacted] and noncompliant data [redacted] (b)(3)-P.L. 86-36 [redacted] has been marked for purging.

I.C.5.a.v. (U) **Data-Handling Errors**

(U//~~FOUO~~) [redacted] NSA analysts discovered that [redacted] files that were collected under FAA §702 authority and had been manually inserted into two databases were accessible by analysts who were not cleared for FAA access. The data had been inserted into the databases [redacted] but the error was not discovered [redacted] These databases are rarely accessed [redacted] Once the error was discovered, the analysts purged the files from one database and the associated archives and moved files from the second database to an appropriate database accessible only by FAA-cleared analysts. No inappropriate access seems to have occurred.

(U//~~FOUO~~) [redacted] an NSA analyst sent an e-mail containing information about the detasking of FAA §702 selectors to an individual not cleared for the information. The error occurred because the analyst mistyped the e-mail address for the correct recipient. The analyst requested that the individual delete the e-mail. (b)(3)-P.L. 86-36

(U//~~FOUO~~) [redacted] an NSA analyst discovered during a database audit that FAA §702 data had been shared with personnel not authorized to receive the data and [redacted] The error occurred because analysts failed to follow proper procedures for processing the data. The data was purged [redacted] Training on the proper handling and dissemination of FAA data was conducted.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

I.C.5.a.vi. (U) **Overcollection**

(b)(1)
(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [redacted] NSA compliance personnel were notified of overcollection of FAA §702 data [redacted] The noncompliant collection has been marked for purging, and no reports were issued.

(U//~~FOUO~~) On [redacted] occasions from [redacted] NSA learned that incidents [redacted] had occurred. On each occasion, overcollection occurred when [redacted] non-targeted selectors were [redacted] resulting in matches with valid FAA §702-authorized selectors. The noncompliant collection has been marked for purging, and no reports were issued. (b)(3)-P.L. 86-36

(U//~~FOUO~~) [redacted] NSA learned of the overcollection of FAA §702 data from [redacted] The overcollection was due to an unknown system glitch causing a selector flagged for detasking to remain on task. The noncompliant collection has been marked for purging, and no reports were issued.

I.C.5.b. (U) **Section 704**

I.C.5.b.i. (U) **Tasking Error**

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

~~(S//REL TO USA, FVEY)~~ an NSA analyst mistakenly tasked an FAA §704 selector for collection which is not authorized under FAA §704. The mistake was discovered and the selector was immediately detasked. The collection was deleted

I.C.5.c. (U) **Section 705(b)**

I.C.5.c.i. (U) **Detask Delay**

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//NF)~~ an NSA analyst discovered that selectors for an FAA §705(b) target the United States that day had not been detasked as requested The detask delay occurred because after normal duty hours The selectors were detasked Personnel have been counseled on the after-hours procedures for handling tasking and detasking requests. No collection or reporting occurred.

I. D. (U) **Other**

I.D.1. (U) **Unauthorized Dissemination**

(b)(3)-P.L. 86-36

(U//~~FOUO~~) a document containing data collected under SIGINT and Information Assurance Dual Authorities was posted to a wiki page and accessed by individuals who did not have the appropriate training necessary to view the data. When the incident was discovered, the system administrators restricted access to individuals who had the Dual Authorities training.

I.D.2. (U) **System Error**

~~(S//SI//REL TO USA, FVEY)~~ A targeting database failed because of a configuration error causing the delay in the completion of detask requests for FAA §702 selectors until the problem was discovered The selectors were detasked Data collected during this time has been marked for purging, and no reports were issued. Modifications have been made to correct the database error.

I.E. (U) **Counterintelligence Activities**

(b)(1)
(b)(3)-P.L. 86-36

(U) Nothing to report.

I.F. (U) **Intelligence-Related Activities**

~~(TS//SI//NF)~~ To reduce the risk of unauthorized telephony collection and prevent violations, NSA/CSS has instituted a process that gives analysts greater and faster insight into a target's location.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

[redacted] Collected data was purged from NSA/CSS's principal raw traffic repositories when required.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

~~(TS//SI//NF)~~ [redacted] NSA analysts found [redacted] e-mail selectors [redacted] this quarter. Collected data was purged from NSA/CSS's principal raw traffic repositories when required.

(U//~~FOUO~~) In [redacted] instances, database access was not terminated when access was no longer required. Although not considered violations of E.O. 12333 or related directives, the accesses were terminated. In addition, there was [redacted] of unauthorized access to raw data and [redacted] instances of account sharing during the quarter.

(b)(3)-P.L. 86-36

II. (U) NSA/CSS Office of the Inspector General (OIG) Intelligence Oversight (IO) Inspections, Investigations, and Special Studies

(U//~~FOUO~~) During the third quarter of CY2011, the OIG reviewed various NSA/CSS intelligence activities to determine whether they had been conducted in accordance with statutes, Executive Orders, Attorney General (AG) procedures, and Department of Defense (DoD) and internal directives. With few exceptions, the problems uncovered were routine and showed that operating elements understand the restrictions on NSA/CSS activities.

II.A. (U//~~FOUO~~) [redacted]

(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ During the joint IG inspection of [redacted] from [redacted], the IO inspection team reviewed the IO program, IO training, and application of IO standards in the SIGINT mission activities performed at the site. The team assessed that the [redacted] IO Program Manager had developed a strong IO program and is doing a good job of tracking IO training. The team found that some [redacted] personnel have not completed their mandatory training. A survey conducted at the site revealed excellent knowledge of IO standards but some weaknesses in the understanding of IO authorities regarding the handling of raw SIGINT and minimization and dissemination standards.

II.B. (U//~~FOUO~~) [redacted]

(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ As part of the joint IG inspection of [redacted] the IO inspection team reviewed the IO program, IO training, and the application of IO standards in the SIGINT mission activities performed at the site. Overall, IO inspectors found that [redacted] had established an IO program that is well led, well documented, and sustainable. They also found that the [redacted] workforce had a good understanding of IO training requirements and responsibilities.

II.C. (U) **Misuse of the U.S. SIGINT System**

(U) Nothing to report.

II.D. (U) **Congressional and IO Board Notifications**

(U) Nothing to report.

(b)(1)
(b)(3)-P.L. 86-36

II.E. (U) **Other Notifications**

~~(S//NF)~~ NSA/CSS has notified the AG of [redacted] consensual and nonconsensual intelligence-related collection activities associated with USP hostage and detainee cases. The AG was also notified of one [redacted] detainee case involving USPs.

III. (U) **Substantive Changes to the NSA/CSS IO Program**

(U) Nothing to report.

IV. (U) **Changes to NSA/CSS Published Directives or Policies Concerning Intelligence, Counterintelligence, or Intelligence-Related Activities and the Reason for the Changes**

(U) Nothing to report.

V. (U) **Procedures Governing the Activities of DoD Intelligence Components that Affect USP (DoD Directive 5240.1-R, Procedure 15) Inquiries or Matters Related to IO Programs**

(U) Nothing to report.